



DISCIPLINE CASE SUMMARY

a. A Member (D-02)

b. Conduct unbecoming a member.

c. The hearing was held May 30, 2002 at the College offices. The report and recommendations of the hearing panel were presented to Council on October 31, 2002.

d. The member admitted that the conduct described constituted conduct unbecoming to a member of the College.

- On January 13, 2001 the member engaged in improper sexual touching of the member's daughter.
- The member pled guilty to section 152 of the Criminal Code arising from the January 13, 2001 incident.
- The member received psychological counselling under the direction of the court. The psychologist stated in the May 27, 2002 letter that the member's "current level of risk for recidivism is considered to be low."

From the evidence presented and the member's admission, the Hearing Panel determined that the member was guilty of conduct unbecoming a member of the College.

e. The Hearing Panel considered that the member's actions demonstrated a serious breach of professional judgement and constituted a disregard for the trust placed upon him as a teacher. The Panel recommended to Council that the member's membership in the College be terminated and his Certificate be cancelled retroactive to the date of the citation for the following reasons:

- The member showed immediate remorse, pled guilty to the incident and did not subject the child to a court hearing.
- The member cooperated with the police, the court, and the College of Teachers.
- The member's psychologist stated this was a one time occurrence brought on by stress.
- The member agreed to this penalty.
- The member consented to the Hearing Panel's recommendations regarding penalty and the member's certificate of qualification was cancelled, effective January 8, 2002.

f. Council considered the recommendations of the Hearing Panel to not publish the member's name for the following reasons:

- Publishing the member's name could harm the child because it could identify her as the victim.
- The court ban on disclosure of proceedings for publication extended to "disclosing any information that would tend to identify the complainant."



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- The protection of the child overrides the right of the public to know.
- g.** Council heard the recommendations for assessment of cost and assessed no cost to the member as he had cooperated fully with the College in the investigation and hearing of this case.